

EXHIBIT 6

In The Matter Of:

Healthy Advice Networks, LLC

vs.

ContextMedia, Inc.

Rishi Shah

March 12, 2014



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1 09:26:22 Who was involved in forming the company?

2 09:26:25 A. The company was formed in 2006.

3 09:26:29 Q. Can you keep your voice up. I'm having a

4 09:26:31 little bit of trouble hearing.

5 09:26:33 A. Sure.

6 09:26:34 The company was formed in 2006. The

7 09:26:38 founders were myself, Shradha Agarwal, and Derek

8 09:26:45 Moeller.

9 09:26:49 Q. How did you come up with the idea to form

10 09:26:51 Context?

11 09:26:55 A. All three of us, Shradha, Derek and myself,

12 09:26:58 were students at Northwestern University. We had

13 09:27:02 built a university-owned business undergraduate

14 09:27:07 student organization, and in doing so had discovered

15 09:27:15 technologies around mobile media that were very

16 09:27:19 interesting to us.

17 09:27:22 We attended a conference where we saw the

18 09:27:25 topic of digital place-based media along with mobile

19 09:27:30 media covered, and I, in particular, instinctually

20 09:27:36 thought that healthcare would be a place to produce

21 09:27:41 great impact of social benefit if place-based media

22 09:27:46 could be delivered in an effective manner. My

23 09:27:49 sister has Type 1 diabetes, my father is a

24 09:27:54 physician, and I saw quickly how this sort of

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1 09:28:00 programming could help patients and healthcare
2 09:28:03 providers alike. And that background along with our
3 09:28:08 interest in the technology led us to form the
4 09:28:12 company.

5 09:28:14 Q. Did you understand at or around the time of
6 09:28:17 the formation of the company that there were other
7 09:28:19 companies that were providing patient education,
8 09:28:23 patient information in the waiting room setting?

9 09:28:27 A. At that specific time, prior to April of
10 09:28:29 2006, I do not recall that we were aware of other
11 09:28:34 companies with video monitors in doctors' offices.
12 09:28:38 Many people in the industry we came across mentioned
13 09:28:44 attempts by companies such as Whittle in years past
14 09:28:48 to do something similar, whether in healthcare or in
15 09:28:52 other places, but it was mostly in the context of
16 09:28:56 efforts that had failed rather than an active
17 09:29:00 marketplace.

18 09:29:03 Q. At what point in time after the formation
19 09:29:05 of the company in April of 2006 did you become aware
20 09:29:09 that there was competition in the point-of-care
21 09:29:14 industry, if that's the right term to use?

22 09:29:17 A. I do not recall the exact date upon which I
23 09:29:21 became aware of a competitor in the point-of-care
24 09:29:24 industry. I suspect it would have been no later

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1 09:29:28 than 2007 or 2008, somewhere in that two-year time
2 09:29:34 frame as we began to acquire physician practices and
3 09:29:42 advertising revenue from manufacturers and ad
4 09:29:45 agencies.

5 09:29:48 Q. Whenever it was that you became aware of
6 09:29:51 competition in the point-of-care business or the
7 09:29:53 point-of-care industry, who were the competitors of
8 09:29:58 which you became aware?

9 09:30:05 A. Again, I do not recall all of the
10 09:30:07 competitors I became aware of and when and in what
11 09:30:10 order, but a few of the names that come to mind are
12 09:30:15 AccentHealth, Healthy Advice, and -- again, there
13 09:30:21 were a number of others, but I do not recall the
14 09:30:24 order and the names of them all.

15 09:30:31 Q. As I understand it, both from prior
16 09:30:33 testimony and things I've read, the first network
17 09:30:36 that was formed by Context was the Diabetes Health
18 09:30:41 Network; is that correct?

19 09:30:41 A. That is the first vertical we focused on.
20 09:30:45 Q. And why did you choose that vertical, the
21 09:30:48 Diabetes Health Network to focus on?
22 09:30:51 A. As we discussed briefly around the
23 09:30:54 formation of the business, I had family members with
24 09:30:58 diabetes. My co-founder, Shradha, had family

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1 09:31:04 members with diabetes. We thought there was
2 09:31:09 tremendous opportunity to improve health outcomes by
3 09:31:12 providing lifestyle and medical education in this
4 09:31:16 point-of-care context. We had a passion to do so
5 09:31:21 around diabetes because of our background and
6 09:31:25 affinity for helping those suffering from that
7 09:31:28 condition. The plan was always to expand beyond
8 09:31:33 that first vertical as we have done, but we chose
9 09:31:37 that first vertical because of our affinity for that
10 09:31:40 condition.

11 09:31:42 Q. Was the plan to make money, to generate
12 09:31:47 revenue?

13 09:31:48 A. The plan was to generate revenue.

14 09:31:51 Q. Let's focus on 2006. Did -- during 2006,
15 09:31:56 were you -- was Context successful in recruiting and
16 09:31:59 obtaining any members? And by "members," I mean
17 09:32:02 physician practices.

18 09:32:03 A. From the period of 2006 and '7, as I don't
19 09:32:06 recall the specifics around merely 2006,
20 09:32:11 Contextmedia was successful in recruiting several
21 09:32:15 physician practices or what we call members.

22 09:32:22 Q. And how did you go about doing that? Just
23 09:32:26 kind of walk me through --

24 09:32:29 COURT REPORTER: Sorry. I couldn't hear you.

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1 09:32:31 MR. COWAN: No more coughing.

2 09:32:33 MR. O'BRIEN: Got you. I covered the mic.

3 09:32:35 BY MR. COWAN:

4 09:32:35 Q. How did you go about doing that? Walk me

5 09:32:37 through the process by which Context was able to

6 09:32:41 recruit and obtain members for the DHN?

7 09:32:47 A. We recruited members by calling them,

8 09:32:50 calling them on the telephone. We recruited members

9 09:32:52 in some cases by visiting offices. We recruited

10 09:32:56 members initially early on by using some of the

11 09:33:00 networks we had personally and had access to. So

12 09:33:05 all of the above. We recruited members through

13 09:33:08 attending events, those sorts of traditional means

14 09:33:12 of commercializing or selling to our market.

15 09:33:16 Q. When did Context obtain its first sponsor?

16 09:33:25 By that I mean a pharmaceutical company or some

17 09:33:28 other entity that was paying Context to show ads,

18 09:33:38 that sort of thing.

19 09:33:40 A. It was prior to 2008.

20 09:33:42 Q. Prior to 2008?

21 09:33:43 A. Prior to 2008.

22 09:33:44 Q. And do you recall who it was?

23 09:33:48 A. I do not recall exactly who the first

24 09:33:52 advertiser was. I know that the first few included

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1 09:34:00 a medical supply company, but that is all that I
2 09:34:04 recall.
3 09:34:05 Q. Would the medical supply company have had
4 09:34:09 products that were relevant to the diabetes
5 09:34:16 patients?
6 09:34:17 A. Correct.
7 09:34:21 Q. How many practices did -- how many members
8 09:34:28 did Context have as of year-end 2008?
9 09:34:37 A. To the best of my recollection, Context had
10 09:34:39 approximately 600 or so members at the year-end of
11 09:34:45 2008. Although it was a period of rapid growth. So
12 09:34:51 it may have been more or less than that as it was
13 09:34:56 not a static number.
14 09:34:59 Q. Were they all -- were all of the members in
15 09:35:02 the -- members in the DHN, the Diabetes Health
16 09:35:05 Network?
17 09:35:06 A. At that time, yes.
18 09:35:09 Q. And how many members did Context have at
19 09:35:13 year-end 2009?
20 09:35:16 A. I do not recall the number of members at
21 09:35:19 year-end 2009.
22 09:35:20 Q. Do you recall -- do you recall if it was
23 09:35:22 less or more than 600?
24 09:35:24 A. I believe it was more than 600.